

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl. Misc. No. M-29754 of 2014

Date of Decision: 26.03.2015

Vipan Sharma

....Petitioner

v.

State of Punjab and another

....Respondents

CORAM: HON'BLE MS. JUSTICE NAVITA SINGH

Present: Mr. Jaswinder Singh, Advocate for the petitioner.

Mr. K.S. Pannu, DAG, Punjab.

Navita Singh, J.

This petition has been moved by Vipan Sharma under Section 439 of the Code of Criminal Procedure seeking regular bail in case FIR No.488 dated 27.10.2009 registered under Sections 406, 420, 467, 468, 471 and 120-B IPC at Police Station Kotwali, Patiala.

The offences involved are triable by Magistrate and the petitioner is in custody since 26.5.2012. The only factor in not granting bail would be that there are 17 other cases registered against him. Counsel for the petitioner submits that in most of those cases, the petitioner is on bail. Even charges have not been drawn up as yet in this case. FIR is of 27.10.2009 and the petitioner was arrested on 26.5.2012.

Since trial has not even begun, prolonging the custody of the petitioner would be hardship to him. The period of custody is already close to 3 years and the trial is likely to take time to conclude.

Counsel for the State submits that if bail is being granted to the petitioner, he should be directed to furnish heavy surety.

The petitioner was to be admitted to bail with one surety to the satisfaction of the trial Court but the condition imposed is that he shall deposit an amount of Rs.50,000/- before the trial Court which shall be condition precedent. Bail to the satisfaction of the trial Court/ Duty Magistrate concerned.

**(NAVITA SINGH)
JUDGE**

**March 26, 2015
renu**